

# SENATE RECORD VOTE ANALYSIS

105th Congress  
1st Session

**Vote No. 47**

April 24, 1997, 5:19 pm  
Page S-3616 Temp. Record

## CHEMICAL WEAPONS CONVENTION/Russian Compliance

**SUBJECT:** Resolution of ratification for the Convention on the Prohibition of Development, Production, Stockpiling, and Use of Chemical Weapons and on their Destruction (Treaty Doc. 103-21) . . . S. Res. 75. Biden amendment No. 48.

### ACTION: AMENDMENT AGREED TO, 66-34

**SYNOPSIS:** S. Res. 75, a resolution of ratification for the Convention on the Prohibition of Development, Production, Stockpiling, and Use of Chemical Weapons and on their Destruction, will give the Senate's advice and consent to the Chemical Weapons Convention (CWC). (Resolutions of ratification ordinarily are not assigned numbers; in this case, by unanimous consent, the Senate considered S. Res. 75 as a substitute for the unnumbered resolution submitted by the Executive Clerk. Also by unanimous consent, the Senate did not consider amendments to the convention, it agreed by voice vote to the first 28 of 33 conditions, declarations, statements, and understandings that were in S. Res. 75, and it agreed that the only other actions in order would be motions to strike the remaining 5 conditions, declarations, statements, and understandings; see vote Nos. 46-50.)

**The Biden amendment** would strike condition number 29, which will condition the depositing of the instrument of ratification on the President's certification to Congress: that Russia is making reasonable progress in implementing the 1990 Bilateral Destruction Agreement (BDA); that the United States and Russia have resolved, to the United States' satisfaction, compliance issues under the 1989 Wyoming Memorandum of Understanding (MOU) and the BDA; that Russia has deposited its instrument of ratification for the CWC; and that Russia is committed to foregoing any chemical weapons capability, chemical weapons modernization program, production mobilization capability, or any other activity contrary to the object and purpose of the CWC.

**Those favoring** the amendment contended:

This second Biden amendment would strike the condition that has been added that will bar the United States from depositing its

(See other side)

YEAS (66)			NAYS (34)		NOT VOTING (0)	
Republicans (21 or 38%)	Democrats (45 or 100%)		Republicans (34 or 62%)	Democrats (0 or 0%)	Republicans (0)	Democrats (0)
Chafee	Akaka	Johnson	Abraham	Hutchison		
Coats	Baucus	Kennedy	Allard	Inhofe		
Cochran	Biden	Kerrey	Ashcroft	Kempthorne		
Collins	Bingaman	Kerry	Bennett	Kyl		
D'Amato	Boxer	Kohl	Bond	Lott		
DeWine	Breaux	Landrieu	Brownback	Mack		
Domenici	Bryan	Lautenberg	Burns	McConnell		
Frist	Bumpers	Leahy	Campbell	Murkowski		
Gorton	Byrd	Levin	Coverdell	Nickles		
Gregg	Cleland	Lieberman	Craig	Santorum		
Hagel	Conrad	Mikulski	Enzi	Sessions		
Hatch	Daschle	Moseley-Braun	Faircloth	Shelby		
Jeffords	Dodd	Moynihan	Gramm	Smith, Bob		
Lugar	Dorgan	Murray	Grams	Thomas		
McCain	Durbin	Reed	Grassley	Thompson		
Roberts	Feingold	Reid	Helms	Thurmond		
Roth	Feinstein	Robb	Hutchinson	Warner		
Smith, Gordon	Ford	Rockefeller				
Snowe	Glenn	Sarbanes				
Specter	Graham	Torricelli				
Stevens	Harkin	Wellstone				
	Hollings	Wyden				
	Inouye					

#### EXPLANATION OF ABSENCE:

1—Official Business  
2—Necessarily Absent  
3—Illness  
4—Other

#### SYMBOLS:

AY—Announced Yea  
AN—Announced Nay  
PY—Paired Yea  
PN—Paired Nay

instrument of ratification for the CWC until Russia deposits its instrument of ratification and lives up to other commitments it has made on getting rid of its chemical weapons. We certainly appreciate the sentiment behind this condition; Russia has most of the chemical weapons in the world (more than 70 percent), and it has been slow in living up to its commitment to get rid of them. However, we urge our colleagues to just for a moment consider if the shoe were on the other foot: would there even be the slightest chance of them giving in to a Russian demand that the United States ratify the convention before Russia? The United States needs to exercise some leadership on this issue. It has already agreed to get rid of all of its chemical weapons no matter what the rest of the world has done, and it has taken the lead on negotiating the CWC. It has been out in front on the issue for the past dozen years. It should not stop now, 1 foot short of the finish line, and insist that Russia cross first. Russia will not cross first, and the CWC will die. If this condition is allowed to stay in the resolution of ratification it will kill the CWC. We therefore urge the adoption of the Biden amendment.

**Those opposing the amendment contended:**

We cannot have a true global ban on chemical weapons unless Russia is really complying with that ban, because Russia has most of the chemical weapons in the world. That obvious proposition is addressed by the condition that the Biden amendment has been offered to strike. Our colleagues have branded that condition, which merely faces up to reality, as a "killer" amendment. As we see matters, if it is impossible to have a CWC with Russian compliance, then there is not much point to having a CWC. Without Russian participation, any "worldwide" ban is a useless gimmick. Four basic requirements are contained in the condition. First, Russia will be required to make reasonable progress in implementing the 1990 Bilateral Destruction Agreement (BDA). Second, and relatedly, it will be required to live up to its obligations under the 1989 Wyoming Memorandum of Understanding (MOU). The first agreement calls on the United States and Russia to destroy their chemical stockpiles and to verify that destruction; the second calls on them to exchange data on their chemical weapons and on their binary chemical weapons programs. Those agreements are major underpinnings for the CWC. Our colleagues like to talk about how President Reagan started the negotiations on the CWC, and how President Bush completed them. However, they fail to tell the whole story. They fail to mention how the CWC fails to meet conditions that President Reagan insisted must be in any final agreement, and they fail to mention that President Bush's support was contingent on Russia's compliance with the BDA and the MOU. As our colleagues are aware, Russia has not been complying with the BDA, and for the MOU it has only given information on 40,000 tons of chemical weapons, though information has surfaced that it has 75,000 tons. Further, it has refused to give information on its binary chemical weapons. According to a recent letter by Russian Prime Minister Chernomyrdin to Vice President Gore, Russia considers both the BDA and the MOU to be obsolete, and has no intention of complying with either in the future. That decision is unacceptable. The third requirement in the condition is that Russia must join at the same time as the United States. If the United States enters before Russia, Russia will be suspicious of the CWC's organizations. Its fear will be that those organizations will be Americanized. The United States' instrument of ratification therefore should be held until Russia joins the organization. By joining at the same time, both countries will enter on an even footing. The final requirement in the condition that the Biden amendment would strike will require Russia to forego a chemical weapons capability. Russian scientists have publicly talked about a top-secret Russian program to develop new binary chemical weapons using chemicals that are not banned under the CWC. One newly developed nerve agent (A-232) is so lethal that even microscopic quantities can kill, and that agent is made out of perfectly legal agricultural and industrial chemicals that are not mentioned by the convention. Russia has been developing these weapons precisely to circumvent the CWC. Do our colleagues really think that it is unreasonable, in a so-called global ban on chemical weapons to require the country that has most of those weapons to get rid of them, join the CWC, and stop trying to figure out how to get around the convention by creating new, more deadly, chemical weapons? Do our colleagues really think that the CWC will have any meaning without those steps being taken? We do not, and thus strongly oppose the Biden amendment.